

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re)	Chapter 11
WESTWIND MANOR RESORT)	Case No. 19-50026 (DRJ)
ASSOCIATION, INC., <i>et al.</i> , ¹)	
Debtors.)	Jointly Administered
)	

**NOTICE OF FIRST AMENDMENT TO THE PLAN SUPPLEMENT
FOR THE DEBTORS' AND COMMITTEE'S FIRST
AMENDED JOINT PLAN OF REORGANIZATION**

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<u>Exhibit</u>	<u>Description</u>	<u>Plan Ref.</u>
C	Excluded Parties – Ex. A to Disclosure Statement	1.02(81)

Certain documents, or portions thereof, contained in this Plan Supplement² remain subject to continuing negotiations among the Debtors and other interested parties with respect thereto. The Debtors reserve all rights to amend, revise, or supplement the Plan Supplement, and any of the documents and designations contained herein, at any time before the Plan Effective Date, or any such other date in accordance with the Plan, the Confirmation Order or any other order of the Bankruptcy Court.

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Westwind Manor Resort Association, Inc. (7533); Warrior ATV Golf, LLC (3420); Warrior Acquisitions, LLC (9919); Warrior Golf Development, LLC (5741); Warrior Golf Management, LLC (7882); Warrior Golf Assets, LLC (1639); Warrior Golf Venture, LLC (7752); Warrior Premium Properties, LLC (0220); Warrior Golf, LLC, a Delaware limited liability company (4207); Warrior Custom Golf, Inc. (2941); Warrior Golf Equities, LLC (9803); Warrior Golf Capital, LLC (5713); Warrior Golf Resources, LLC (6619); Warrior Golf Legends, LLC (3099); Warrior Golf Holdings, LLC (2892); and Warrior Capital Management, LLC (8233). The address of the Debtors' corporate headquarters is 15 Mason, Suite A, Irvine, California 92618.

² Capitalized terms used but not otherwise defined in this Plan Supplement shall have the meanings ascribed to such terms in the *Debtors' and Committee's First Amended Joint Plan of Reorganization* [Docket No. 787], as it may be amended, modified, or supplemented from time to time.

Dated: June 11, 2020

/s/ Michael D. Warner
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Counsel for the Debtors

EXHIBIT C

EXHIBIT “A”

(ADDITIONAL) EXCLUDED PARTIES¹

The following is a non-exclusive list of the Excluded Parties, as such term is defined in the Plan.

The Excluded Parties are subject to claims for, *inter alia*, Causes of Action and Avoidance Actions, as defined in the Plan.

With respect to Persons identified herein, Excluded Parties includes, *inter alia*: (i) any entity directly or indirectly owned or controlled by such Person, and (ii) any current or former spouse, partner, or any other relative of any such Person.

With respect to Entities identified herein, Excluded Parties includes all past and present, shareholders, members, partners, general partners, limited partners, officers, directors, employees, professionals, affiliates, subsidiaries, and successors of any such Entity.

- 1) Brendan M. Flaherty
- 2) Dillon Flaherty
- 3) Devin Flaherty
- 4) Destiny Flaherty
- 5) Toni Flaherty
- 6) Dwight Bickerstaff
- 7) Aaron Mun
- 8) Wayne Deloney
- 9) Ryan Rodney
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- 11) Katie Sanchez
- 12) Henry Peter Wheelhan, Jr.
- 13) Tom Porter
- 14) R.E. Alexander
- 15) Eric Taylor
- 16) Howard Farber
- 17) Russell Theisen
- 18) Sean McDonald
- 19) John Fitzmartin
- 20) Douglas White
- 21) Daniel Davis
- 22) Sandra Davis
- 23) Thomas Dean
- 24) Bonnie Dean
- 25) Brenda Severson
- 26) Walter Curtis Hunt
- 27) Leon Engelking

¹ Capitalized terms used herein are as defined in the Plan to which this Exhibit A is attached.

- 28) Elvira Engelking
- 29) Rick Falaschetti
- 30) Stephen Thomas
- 31) [RESERVED]
- 32) Jessie Miller
- 33) [RESERVED]
- 34) Dwight Beckstrand
- 35) Anthony Ivankovich
- 36) A and O Family Trust
- 37) A and O Family LLC
- 38) Zavatkay Holdings, LLC
- 39) WGP Related Persons
- 40) Dot Com Asset Management, Ltd.
- 41) BMF Properties, LLC
- 42) Sterling and Marx, Inc.
- 43) Wholesale Golf Supply & Services, Inc.
- 44) Sports Collectables International, Inc.
- 45) Warrior Table Soccer, LLC
- 46) Warrior Extreme Sports, LLC
- 47) Warrior Golf Properties, LLC
- 48) Warrior Golf, LLC, a California limited liability company
- 49) Warrior Development, Inc.
- 50) IRA Resources, Inc.
- 51) Equity Trust Company
- 52) ColeyDokter, Inc.
- 53) Runaway Bay Golf Club, LLC
- 54) Alpha Adventure Ranch at Nocona, LLC
- 55) City of Boonville, Indiana
- 56) Marcus & Millichap, Inc.
- 57) Stepp Law Corporation
- 58) Morgan Lewis & Bockius LLP
- 59) Wunderlich Securities, Inc.
- 60) Marcum LLP
- 61) Beckstrand Law Offices, P.C.
- 62) Warrior Custom Storage RV, LP
- 63) Riverbound Storage Management, LLC
- 64) John Combs
- 65) Laura Vannessen
- 66) Kimberly Porter
- 67) TMA 17, Inc.
- 68) Any and all Persons or Entities that, in any fashion, participated in, *inter alia*, the marketing, sale, solicitation of Investments or the Convertible Notes

- 69) Any and all Persons or Entities that, in any fashion participated in, *inter alia*, provided advice, guidance, legal or financial consultation, with respect to the marketing, sale, solicitation of Investments, or the Convertible Notes
- 70) Any and all Persons or Entities that, in any fashion participated in, *inter alia*, provided advice, guidance, legal or financial consultation, with respect to, *inter alia*, the transactions, events and documents involved in the Failed 2017 Restructuring, including, the Senior Notes and the Pro Rata Notes
- 71) Any and all Persons and Entities that were Investors in Warrior Capital Management, LLC
- 72) Any and all Person and Entities that received a transfer of property of the Debtors, within the applicable statutes of limitations for avoidable transfers pursuant to, *inter alia*, Bankruptcy Code Sections 506(c), 510, 542, 543, 544, 545, 547, 548, 549, 550, 551, 552(b), 553, and/or 724
- 73) Any and all Persons and Entities that participated, in any fashion, in the transactions identified in the Disclosure Statement or the Plan as being subject to potential investigation, recovery or litigation
- 74) Any and all Persons or Entities that, in any fashion, participated in, *inter alia*, what are defined in the Disclosure Statement as *the internal flips*, wherein, property was acquired by an entity and subsequently transferred or intended to be transferred to a Debtor
- 75) Any and all Persons or Entities that, in any fashion, received, causes to be transferred, or otherwise participated in, *inter alia*, property transfers by the Debtors as inducements or incentives to cause Investments
- 76) Any and all Persons or Entities that, in any fashion participated in, *inter alia*, provided advice, guidance, legal or financial consultation, with respect to, *inter alia*, the transactions, events and documents involved in the Debtors efforts to, and considerations of *going public*

Specifically, **not** Excluded Parties are:²

- A) Professionals retained by the Debtors, in connection with the Chapter 11 Cases
- B) Professionals retained by the Committee, in connection with the Chapter 11 Cases
- C) The CRO
- D) The CFO
- E) Persons and Entities specifically identified in the Plan as being released or exculpated.

² The following list is not exhaustive.

EXHIBIT C
(Redline)

EXHIBIT “A”

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